



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

MAR 15 2015

Carl Rundquist, Pretreatment Coordinator
Antrim Township
10655 Antrim Church Road
P.O. Box 130
Greencastle, PA 17225

Re: Information Requirement for Antrim Township
Sewage Treatment Facility Pretreatment Program

Dear Mr. Rundquist,

Enclosed please find an Information Requirement issued this date pursuant to Section 308 of the Clean Water Act, 33 U.S.C. § 1318 that requires, among other things, that Antrim Township provide detailed information regarding compliance with the pretreatment requirements of the Sewer Treatment Facility permit (NPDES Permit # PA0080519). The requirement to provide EPA with the information requested is mandatory, and you must respond in accordance with the instructions and deadlines set forth in the Information Requirement.

Please contact Ms. Lisa Trakis at (215) 814-5433 if you have any questions regarding this Information Requirement.

Sincerely,

A handwritten signature in blue ink, appearing to read "DLB", is written over the typed name of David B. McGuigan.

David B. McGuigan, Associate Director
Office of NPDES Permits & Enforcement
Water Protection Division

Enclosures
cc w/encl.: John Alleman, Chairman
Board of Supervisors



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

In The Matter of:

Antrim Township
10655 Antrim Church Road
P.O. Box 130
Greencastle, PA 17225

Proceeding under Section 308 of the
Clean Water Act, 33 U.S.C. § 1318

INFORMATION REQUIREMENT

I. STATUTORY AUTHORITY

1. This Information Requirement is issued under the authority vested in the United States Environmental Protection Agency (EPA) by Section 308 of the Clean Water Act (CWA or Act), 33 U.S.C. § 1318. The Administrator of the EPA has delegated this authority to the Regional Administrator of EPA Region III who in turn has delegated it to the Director of the Water Protection Division of EPA Region III who in turn has delegated it to the Associate Director of the Office of NPDES Permits and Enforcement. EPA hereby requires that Antrim Township provide detailed information regarding compliance with National Pollutant Discharge Elimination System Permit No. PA0080519.

II. STATUTORY AND REGULATORY BACKGROUND

2. EPA is authorized under Section 308 of the CWA , 33 U.S.C. § 1318, to require owners and operators of point sources to establish records and make such reports as may be necessary to carry out the purpose of the Act, including but not limited to:
 - (a) Developing or assisting in the development of any effluent limitation, or other limitation, prohibition, effluent standard, pretreatment standard, or standard of performance under the CWA;
 - (b) Determining whether any person is in violation of any such effluent limitation, or other limitation, prohibition or effluent standard, pretreatment standard, or standard of performance;
 - (c) Any requirement under Section 308 of the CWA; and

(d) Carrying out Sections 305, 311, 402, 404, and 504 of the CWA.

3. Any failure to respond as directed is punishable under the civil and criminal provisions of Section 309 of the Act, which provide for the assessment of penalties, injunctive relief and imprisonment.

You may, if you desire, assert a business confidentiality claim covering all or part of the information requested herein in the manner described in 40 C.F.R. Section 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent and by means of the procedures set forth in Subpart B, 40 C.F.R. Part 2. If no claim of confidentiality accompanies the information requested herein when it is received by EPA, it may be made available to the public by EPA without further notice. This inquiry is not subject to review by the Office of Management and Budget under the Paperwork Reduction Act, 44 U.S.C. Chapter 35. (See 5 C.F.R. § 1320.3(c)).

III. INSTRUCTIONS

4. Provide a separate narrative response for each question and for each subpart of each question set forth below. Precede each answer with the corresponding number of the question to which it responds.
5. Identify each person responding to any question contained in this Information Requirement on behalf of Antrim Township, as well as each person consulted in the preparation of the response.
6. For each question, identify each document consulted, examined, or referred to in the preparation of the response or that contains information responsive to the question, and provide a true and correct copy of each such document if not provided in response to another specific question.
7. Indicate on each document produced in response to this Information Requirement, or in some other reasonable manner, the number of the question to which it corresponds.
8. If requested information or documents are not known or are not available at the time of your response to this Information Requirement, but later become known or available the Antrim Township must supplement its response to EPA. Moreover, should the Antrim Township find at any time after submission of its response that any portion is or becomes false, incomplete, or misrepresents the facts; the Antrim Township must provide EPA

with a corrected response as soon as possible.

9. Section 308 of the Act, 33 U.S.C. § 1318, requires the Antrim Township Municipal Authority to provide accurate and complete information in response to the questions contained in this request. All submissions provided pursuant to this Section 308 Requirement shall be signed and dated by a responsible official of Antrim Township and must include the following certification:

"I certify that the information contained in or accompanying this submission is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I certify as having responsibility for the persons who, acting under my direct instruction, made the verification that this information is true, accurate, and complete."

Signed _____
Title _____

10. Submit your response to:

Ms. Lisa Trakis (3WP42)
NPDES Enforcement Branch
Water Protection Division
U. S. Environmental Protection Agency
1650 Arch Street
Philadelphia, PA 19103

If you have questions regarding this Information Requirement, you may contact Ms. Lisa Trakis of the NPDES Enforcement Branch at (215) 814-5433.

IV. DEFINITIONS

11. The terms "document" and "documents" shall mean any format that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hard copy, including any form or format of these types. If in computer format or memory, each such document shall be provided in a translated form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include: (a) a copy of each document which is not an exact duplicate of a document which is provided; (b)

each copy which has any writing, notation, or the like on it; c) drafts; (d) attachments to or enclosures with any document; and (e) every other document referred to or incorporated into each document.

12. The term "identify" with respect to a natural person means to provide that person's name, address, telephone number, title, and relationship to the Antrim Township Municipal Authority. The term "identify" with respect to a business entity means to provide that entity's name, address, and relationship to the Antrim Township Municipal Authority, and to provide the name, address, telephone number, and title of an individual who can provide information related to, and on behalf of, the entity.
13. The term "Day" shall mean a calendar day. In computing any period of time under this Information Requirement pursuant to Section 308, where the last day would fall on a Saturday, Sunday, federal or state holiday, the period shall run until the close of the next business day.

V. INFORMATION REQUIRED

14. AND NOW, this 15th day of November, 2016, Antrim Township is hereby directed, pursuant to Section 308 of the Act, 33 U.S.C. § 1318, to provide the following information, no later than 30 days from the effective date of this Information Requirement.
15. Provide a list of Sanitary Sewer Overflows (SSO) which occurred in the collection system owned and/or operated by Antrim Township from January 1, 2011 through the present. Please submit all documents related to each SSO, including but not limited to the:
 - a) Date;
 - b) Duration of discharge;
 - c) Location
 - d) Receiving water body;
 - e) Volume (indicate actual or estimated);
 - f) Cause;
 - g) Analytical results of wastewater discharged;
 - h) Remedial or mitigating actions; and
 - i) Correspondence with PADEP.
16. Provide a list of Bypass events which occurred after the head works of the wastewater treatment plant owned and/or operated by Antrim Township from January 1, 2011

through the present. Please submit all documents related to each bypass event- including but not limited to the:

- a) Date;
 - b) Duration of discharge;
 - c) Location
 - d) Receiving water body;
 - e) Volume (indicate actual or estimated);
 - f) Cause;
 - g) Analytical results of wastewater discharged;
 - h) Remedial or mitigating actions; and
 - i) Correspondence with PADEP.
17. Provide and list of Significant Industrial Users (SIUs) and Categorical Industrial Users (CIUs) discharging to the Antrim Township sewage treatment facility. For each SIU and CIU, provide the current pretreatment discharge permit, self-monitoring reports (including chain of custody forms) from January 1, 2011 through the present.
 18. Provide documents related to compliance monitoring activities conducted by Antrim Township generated from January 1, 2011 through the present, including but not limited to inspection reports for each SIU and CIU and compliance sampling results.
 19. If the Antrim Township Enforcement Response Plan (ERP) has been revised during the past 5 years, provide the previous (ERP(s)) with the effective dates of each.
 20. If the Antrim Township Sewer Use Ordinance (SUO) has been revised during the past 5 years, provide the previous (SUO(s)) with the effective dates of each.
 21. Identify all SIUs and CIUs for which the need for a slug discharge control plans has been evaluated or required and provide copies of all related documents, including but not limited to internal correspondence, and correspondence with SIUs or CIUs.
 22. Provide documents generated from January 1, 2011 to present, that relate to known or suspected instances of pass-through or interference at the Antrim Township wastewater treatment plant including but not limited to internal correspondence and correspondence with SIUs or CIUs.
 23. Provide documents generated from January 1, 2011 through the present related to SIU or CIU industrial wastewater discharge permit violations including documents related to enforcement of industrial wastewater discharge permits, as required by the Enforcement

Response Plan or otherwise.

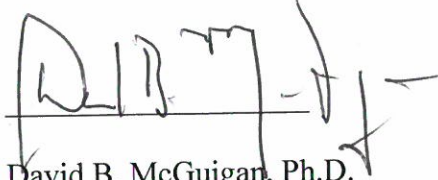
24. Review the Pretreatment Compliance Audit Summary Report (July 15, 2014), Attachment A hereto and provide a response to each of the items set forth in Sections 12.1 and 12.2.

VI. EFFECTIVE DATE

25. The effective date of this Information Requirement shall be the date it is received by Antrim Township.

Date:

3/15/16

A handwritten signature in black ink, appearing to read 'D. McGuigan', is written over a horizontal line.

David B. McGuigan, Ph.D.

Associate Director

Office of NPDES Permits & Enforcement

Water Protection Division

Pretreatment Compliance Audit

Summary Report

Discharger: Antrim Township Municipal Authority

Location: 13431 Worleytown Road, Greencastle, PA 17225

Contacts: Carl Rundquist, Public Works Director
Roger Nowell, Treatment Plant Operator/Pretreatment Coordinator

Audit date: July 15, 2014

Audited by: Christine Wong, Tetra Tech, Inc.
I-Hsin Lee, Tetra Tech, Inc.

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Attachment A	Discharger Information: Eldorado Stone
Attachment B	Discharger Information: Grove-Manitowoc Crane
Attachment C	Nondomestic User Site Visit Forms

1. Executive Summary

The Antrim Township Municipal Authority (Township) owns and operates the Antrim Township wastewater treatment facility (WWTF). The Township manages a pretreatment program that consists of three significant industrial users (SIUs), as defined at Title 40 of the *Code of Federal Regulations* (CFR) section 403.3(v), of which one is a discharging categorical industrial user¹ (CIU).

The audit of the Township's pretreatment program revealed many significant deficiencies. The audit revealed an inconsistency in the Township's classification of its SIUs between its 2013 annual report and its actual permit classifications. Township personnel were unaware of the added streamlining rule pretreatment provisions in the Township's sewer use ordinance (SUO) and were not aware of the existence of the Township's enforcement response plan (ERP). The audit also revealed that the SIU permits issued by the Township do not include all of the minimum federal requirements and the permits contain local limits that are not consistent with those established in the SUO. The Township also failed to permit all of its SIUs and incorrectly classified Grove-Manitowoc Crane (in the permit) as a noncategorical facility.

The Township also failed to conduct compliance monitoring of its permitted SIUs during 2013 and several of the Township's compliance monitoring events failed to include sample and analysis for all pollutants of concern. The Township could not provide adequate documentation of its compliance inspection activities and its compliance inspection procedures need to be improved. Furthermore, the Township has failed to identify and take enforcement actions for all effluent, reporting, and resampling violations. The Township is also inadequately evaluating the significant noncompliance (SNC) status of its SIUs. Finally, the Township's data management of its pretreatment program files needs to be improved.

2. Introduction

The United States Environmental Protection Agency Region 3 (EPA Region 3), with assistance from Tetra Tech, Inc., conducted an audit of Township's pretreatment program on July 15, 2014. According to Township personnel, this is the Township's first PCA since the implementation of the pretreatment program. This report describes the primary concerns generated by the PCA.

The audit consisted of three parts: an interview with the Township's pretreatment program staff, a review of pretreatment program files, and site visits to five nondomestic dischargers and potential nondomestic dischargers. The interview included a discussion regarding the program in general, focusing on program implementation procedures; the development and implementation of the Township's main program documents, compliance sampling and inspection procedures and their frequency; and enforcement issues. The document review consisted of a cursory review of some of the Township's pretreatment program documents, including the National Pollutant Discharge Elimination System (NPDES) permit, SUO, and

¹ During the interview, the Township personnel indicated that they did not have any CIUs. The Township's annual report however indicates that Grove-Manitowoc Crane is a CIU and the site visit revealed that the facility is indeed a CIU, subject to 40 CFR Part 433.

ERP. The file review consisted of examining the files of the following two nondomestic dischargers:

- El Dorado Stone (noncategorical SIU)
- Grove-Manitowoc Crane (noncategorical SIU²)

The auditors also visited five nondomestic dischargers and potential nondomestic dischargers. Auditors from Tetra Tech accompanied Township personnel to assess whether inspection procedures were adequate. The audit team visited the following facilities during the PCA:

- Grove-Manitowoc Crane (noncategorical SIU²)
- Tarco (nondomestic user³)
- Jerr-Dan Carrier Facility (nondomestic user)
- Jerr-Dan Molly Pitcher Site (nondomestic discharger⁴)
- Fab Tech V. Industries, Inc. (nondomestic user)

This report summarizes the overall findings of the audit and describes the program elements that are not consistent with federal pretreatment program requirements. In addition, the report provides recommendations to enhance the effectiveness of program implementation.

3. Pretreatment Program Description

The Township's pretreatment program consists of three SIUs. During the interview, the Township personnel indicated that all three dischargers were noncategorical SIUs. The Township's 2013 Annual Report, however, stated that Grove-Manitowoc Crane is classified as a CIU and Tetra Tech auditor verified during the site visit that the facility is a CIU subject to 40 CFR Part 433. For more information regarding the findings during the Grove-Manitowoc Crane's site visit, see Section 8.3 of this report.

The Township does not accept any hauled waste at the WWTF.

3.1 Dental Mercury

According to Township personnel, there are no known dental facilities in the Township's service area. In addition, they indicated that the Township has not experienced any issues with mercury pollutant loading in its WWTF influent or effluent. The Township's National Pollutant Discharge Elimination System (NPDES) permit does not contain mercury effluent limits.

² During the interview, the Township personnel indicated that they did not have any CIUs. The Township's annual report however indicates that Grove-Manitowoc Crane is a CIU and the site visit revealed that the facility is indeed a CIU, subject to 40 CFR Part 433.

³ A nondomestic user is a nondomestic facility that does not discharge any nondomestic wastewater to the Township.

⁴ A nondomestic discharger is a nondomestic facility that discharges nondomestic wastewater to the Township, but the discharge is not federally-regulated or considered significant as defined by 40 CFR 403.3(v).

3.2 Industrial Laundries

According to Township personnel, there are no industrial laundries in the Township's service area.

3.3 Sanitary Sewer Overflows

According to Township personnel, the Township experiences sanitary sewer overflows (SSOs) caused by residential discharges in two general service areas: Coseytown and Shank Church Road. Township personnel stated that these SSOs are not caused by fats, oil, and grease; rather, old pipes and poor design (i.e., an 18-inch pipe discharging into an 8-inch pipe) cause the SSOs. Township personnel did not provide additional information on the SSOs.

3.4 SIUs in 100 Percent Compliance

The file review revealed that the Township did not have any SIUs in 100 percent compliance in 2013.

4. Pretreatment Program Modifications

The federal pretreatment regulations at 40 CFR 403.18 require the Township to notify EPA of any modifications it intends to make to its pretreatment program.

According to Township personnel, the Township is evaluating its local limits and recently submitted its local limits report to EPA Region 3. The auditors requested to review the local limits report to compare it with the Township's current local limits, but Township personnel denied the request. Township personnel indicated that the recent local limits evaluation determined that limits for mercury, phenol, and silver were no longer needed, and there were no new identified pollutants of concern. The federal regulations at 40 CFR 403.18(b)(2) specifies that modifications that relax the Township's local limits are considered substantial modifications. Therefore, the Township must follow with the approval procedures for pretreatment program modifications at 40 CFR 403.18. Furthermore, the Township is reminded that it cannot implement any modifications until it has received approval from EPA Region 3.

5. Legal Authority

As a result of findings from both the interview and file review portions of the audit, the following discrepancies were noted in the Township's SUO:

- The definition of SNC contains an outdated federal citation number. The definition references "40 CFR§403.8(f)(2)(vii)" instead of 40 CFR 403.8(f)(2)(viii). In addition, the table in section 111.34C(3) is missing the applicable units for the limits established in the "Limit not to exceed" column.
- Section 111.34.C(2) of the SUO contains an incomplete sentence. The section specifies that an industrial user's total categorical wastewater flow cannot exceed 0.3502 pounds per day of dry-weather organic treatment. However, the statement does not specify which pollutant or pollutants are subject to this limit. In addition, it

is unclear why categorical wastewater is distinguished from industrial wastewater in general.

It is recommended that the Township address each of these issues. Please note that any changes in the SUO as a result of correcting these discrepancies must be reported to the Approval Authority in accordance with 40 CFR 403.18.

6. Nondomestic Discharger Identification and Characterization

The federal pretreatment regulations at 40 CFR 403.8(f)(2) require that publicly owned treatment works (POTWs) develop and implement procedures to identify and locate IUs that might be subject to the local pretreatment program. These procedures must also include proper categorization of all SIUs as defined at 40 CFR 403.3(v).

Township personnel stated that they sent out industrial waste surveys to all commercial and nondomestic users in their service area in 2009. The Township used its sewer billing and customer list to create its master nondomestic user list for the 2009 survey. Since 2009, the Township has not performed a formal IWS for nondomestic users, though Township staff members indicated that any new nondomestic discharger must complete a business license application with the Township (and therefore could be identified at that time as a potential nondomestic user). The Township should continue to review new business license applications and changes at existing businesses to ensure that it is aware of any new SIUs that must be regulated under its pretreatment program.

During the audit, the auditors conducted a site visit to Tarco, a nondomestic user within the Township's service area. The Township personnel were aware of the facility and the facility completed an industrial waste survey in 2009. The auditors chose this facility to inspect because of the possibility that the facility could be subject to categorical requirements because the facility manufactures asphalt roofing paper and materials. Even though the site visit revealed that Tarco has no potential to discharge any process wastewater to the Township, the Township should have procedures to keep up-to-date information concerning process and discharge practices of all nondomestic users. The Township is required to identify and locate all possible nondomestic users subject to the Township's pretreatment program and have procedures to keep up to date on what the nondomestic users within its jurisdiction are doing, or if there are any changes.

The Township's procedures for characterizing industrial users need to be improved. During the interview, Township personnel indicated that they had no CIUs. The Township's 2013 annual report and the subsequent site visit to Grove-Manitowoc Crane, however, revealed that the facility is a CIU subject to 40 CFR Part 433. Grove-Manitowoc Crane has several wash bays and the facility either discharges the wastewater from the wash bays or hauls it off-site for treatment. One of the wash bay discharges to the Township is from the facility's large weld fabrication wash bay. While the majority of the categorically-regulated wastewater (generated from using a phosphoric acid wash chemical) is hauled off-site, the wastewater from the large weld fabrication wash bay, which uses GF Prep 658 (a phosphoric acid-based chemical), is discharged to the Township. Therefore, the wastewater from the large weld fabrication wash bay is subject to the federal regulations at 40 CFR Part 433 and any other wastewaters discharged from the facility's ancillary metal finishing processes are

also subject to the federal regulations at 40 CFR Part 433. The Township is required to improve its procedures for characterizing its nondomestic dischargers to ensure proper categorization and proper implementation of categorical standards (see Section 7.1).

7. Control Mechanisms

To ensure compliance with applicable pretreatment standards, the federal pretreatment regulations at 40 CFR 403.8(f)(1)(iii) require POTWs to control the discharges from nondomestic dischargers by using control mechanisms (permits or other similar means). Permits for CIUs must properly use the combined wastestream formula, properly convert mass-based limits to concentration-based limits, properly apply production-based limits (if applicable), and include a prohibition on dilution as a substitute for treatment.

7.1 Facility Classification

The Township incorrectly permitted Grove-Manitowoc Crane as a noncategorical SIU. The facility is a CIU subject to 40 CFR Part 433 (new source) discharging treated wastewater from one of its phosphating operations (the wash bay in the large weld manufacturing building) and is also discharging wastewater from several ancillary metal finishing processes (i.e., cleaning). Therefore, the Township is required to revise Grove-Manitowoc Crane's permit to incorporate all federal pretreatment standards and requirements for 40 CFR Part 433 facilities.

7.2 Effluent Limits

7.2.1 Daily Maximum and Monthly Average Limits

The file reviews of Grove-Manitowoc Crane and Eldorado Stone revealed that the local limits in the permits are not consistent with the local limits established in the SUO. The SIU permits reviewed contain daily maximum and monthly average local limits. The Township's SUO however, contains only one set of local limits. It appears that the Township derived the concentration-based limits in the SUO from the maximum allowable industrial loadings. The SUO identifies the maximum allowable loading values as allowable pounds per day. Therefore, the concentration-based local limits are likely daily maximum limits rather than monthly average limits.

In addition, the daily maximum and monthly average local limits in the permits were numerically the same for each pollutant. For example, in the Grove-Manitowoc Crane's permit, the daily maximum and monthly average limit for oil and grease is 50 milligrams per liter (mg/L).

Therefore, the Township is required to review its SUO and its local limits development document to determine how the established local limits must be applied and revise the SIU permits accordingly. If the Township wishes to apply daily maximum and monthly average local limits, it must ensure that it has established adequate legal authority to do so.

7.2.2 Total Suspended Solids

Both permits reviewed contain total suspended solids (TSS) local limits that are less stringent than the TSS limit established in the Township's SUO. Both of the permits specify that the

TSS limit is 308 mg/L, but the TSS limit established in the SUO is 68.5 mg/L. Section 111.8 of the SUO, which lists the Townships local limits, does not discuss allowance of alternative local limits derived on a case-by-case basis. Therefore, the local limits for TSS in both permits are incorrect and the Township is required to revise the permits to include the TSS limit established in the SUO.

7.3 Sampling Requirements

The Eldorado Stone permit contains insufficient self-monitoring requirements. The Township is requiring the facility to sample TSS annually. Because the Township has determined that TSS is a pollutant of concern at the facility and the Township has established a local limit for the pollutant, the Township must require the discharger to monitor for all applicable pollutants with pretreatment standards at least once every six months [40 CFR 403.12(h)]. Therefore, the Township is required to revise Eldorado Stone's permit to require monitoring for all pollutants of concern at least once every six months.

In addition, the Eldorado Stone permit does not include monitoring requirements for CBOD. Since the POTW has a local limit for CBOD the Township must include monitoring for CBOD in the permit unless the Township documents the rationale for why the CBOD monitoring is not needed.

7.4 Sample Location

Both of the permits reviewed contained incomplete sample location descriptions. The statement in the permit regarding sample location is a placeholder for a sample location schematic and description, but the permit does not include any schematics or descriptions of the applicable sampling location. The federal regulations at 40 CFR 403.8(f)(1)(B)(4) require all control mechanisms include a description of the applicable sampling location or locations. Therefore, the Township is required to revise all SIU permits accordingly.

7.5 Slug Discharge Control Requirements

The Grove-Manitowoc Crane's permit does not include the requirement to develop and implement a slug discharge control plan. According to the facility's 2012 compliance inspection report, the Township determined that the facility is required to have such a plan. Therefore, the facility's permit must contain the requirements to control slug discharges [40 CFR 403.8(f)(1)(B)(6)] and the Township must ensure that the SIU develops and implements the slug discharge control plan.

7.6 Notification of Significant Change

Both permits reviewed specified that the dischargers are required to notify the Township if there are increases in production⁵. If a nondomestic discharger is subject to production-based limits, then it would be equally relevant for dischargers to report any decreases in production. Therefore, it is strongly recommended that the Township revise its notification of significant change statement to incorporate *any* changes in production.

⁵ The permits do have a separate clause the correctly addresses notification of all other types of changes. This notification requirement is specific to *production*.

7.7 Fact Sheets

The Township does not use permit fact sheets. Fact sheets that include historical information about the facility are helpful in making categorical determinations (e.g., new source versus existing source) and useful for educating staff members about facilities. Fact sheets that are updated throughout the life of the permit are a logical means of documenting the rationale behind any alternative limits in the permit. It is strongly recommended that the Township develop permit fact sheets for each SIU or zero-discharging CIU that include following:

- The industry name, address, owner or plant manager;
- The permit expiration date (not to exceed five years in duration);
- A description of the facility including the products made or services provided, building names, the process in each building, and when current operations began;
- The identification of each sewer connection;
- A description of the contributing waste streams that comprise each identified nondomestic discharge into the sewers;
- The pretreatment-in-place for each identified nondomestic discharge to the sewers;
- The classification by federal point source category and the reasons justifying this classification;
- The applicable federal categorical pretreatment standards (adjusted if necessary to account for dilution), supporting production data (if necessary), and the compliance sampling point(s) where the standards apply;
- The pollutants of concern and the compliance sampling point(s) where the local limits apply;
- A site map indicating the locations of all compliance sampling point(s), sewer connections, and sewer laterals;
- The sampling frequency of each regulated pollutant for each compliance sampling point, and the supporting statistical rationale, to ensure that the sampling is representative of the wastewater discharge variability over the reporting period;
- The sampling protocol by regulated pollutant for each compliance sampling point to ensure that the samples collected to determine compliance with federal standards are representative of the sampling day's discharge.

8. Application of Pretreatment Standards and Requirements

The federal pretreatment regulations at 40 CFR 403.8(f)(1) require the Township to have the legal authority to require compliance with applicable pretreatment standards and requirements, and to ensure compliance with these standards and requirements through the use of control mechanisms such as permits.

As noted previously, the Township is not requiring Grove-Manitowoc Crane to comply with all applicable pretreatment standards and requirements. The Township incorrectly permitted the facility as a noncategorical SIU when the facility is in fact a CIU subject to 40 CFR Part 433. Therefore, the Township is required to revise Grove-Manitowoc Crane's permit and ensure that the facility complies with all pretreatment standards and requirements.

Furthermore, the Township has not permitted or conducted the appropriate compliance monitoring at one of its SIUs, Mountain View Landfill. Township staff stated that the landfill

has been discharging wastewater to the Township since the 1970s and there were discussions about permitting the facility. Township staff members indicated that, while the Township implemented ultraviolet disinfection at the wastewater treatment plant, they were determining whether there was a need to develop a transmissivity limit because the Township thought the landfill's wastewater was causing interference with the disinfection process. Since the PCA, the Township decided that a transmissivity limit was not necessary and therefore the Township never issued the landfill a permit. Because Mountain View Landfill is a SIU, the Township is required to regulate the discharger accordingly, which includes issuing the facility a permit and conducting required compliance sampling and inspections.

9. Compliance Monitoring

The federal pretreatment regulations at 40 CFR 403.8(f)(2)(v) require that a POTW develop and implement an inspection and monitoring program to determine, independent of information supplied by nondomestic dischargers, compliance or noncompliance with applicable pretreatment standards and requirements. Furthermore, 40 CFR 403.8(f)(2)(vii) requires POTWs to investigate instances of noncompliance and enforce the regulations as necessary.

9.1 Compliance Sampling

The regulations at 40 CFR 403.8(f)(2)(v) require that all SIUs be sampled at least once a year unless the POTW has authorized a CIU to forego sampling of a pollutant regulated by federal pretreatment requirements. In such a case, the POTW must sample for the waived pollutant(s) at least once during the permit term [40 CFR 403.8(f)(2)(v)(A)].

Township personnel indicated that they conduct annual compliance monitoring at all of its permitted SIUs at least once a year. Samples are collected and analyzed by Franklin Analytical.

During the interview, Township staff members indicated that because of an oversight, the Township did not conduct any compliance sampling of its permitted SIUs in 2013. (This contradicts the information in the Township's 2013 annual report that states Grove-Manitowoc Crane and Eldorado Stone "was sampled by Antrim Township via Franklin Analytical by split sample." The annual report had a reporting period of January 1, 2013 through December 31, 2013.) Upon realization of the oversight, the Township collected its compliance samples in January 2014 to make up for the lack of monitoring in 2013. Township staff members indicated that additional compliance samples will be collected in 2014 in order to comply with the compliance monitoring frequency for the 2014 calendar year. The Township is required to review its procedures and frequencies for compliance sampling and ensure that it complies with compliance monitoring requirements at 40 CFR 403.8(f)(2)(v). The Township is also required to correct and resubmit its 2013 annual report to EPA Region 3.

The file review revealed that the Township is using incorrect sample analysis methods for cyanide and phenolics. The 2012 and 2014 compliance sample reports for Grove-Manitowoc Crane and Eldorado Stone indicate that methods 335.3 and 420.2 were used, respectively. Neither of these methods are approved for wastewater analysis under 40 CFR Part 136.

Therefore, the Township is required to review its sample analysis methods and ensure that analysis for cyanide and phenolics is performed in compliance with the methods listed at 40 CFR Part 136.

In addition, the Township failed to collect compliance samples for all pollutants of concern in the permit during its compliance sampling events at Eldorado Stone and Grove-Manitowoc Crane. The 2010 and 2014 compliance sampling results for Eldorado Stone do not contain results for BOD or pH. The Township collected compliance samples for CBOD in those years; however CBOD is not listed as a pollutant of concern in Eldorado Stone's permit, which specifies BOD, TSS, and pH as pollutants of concern. Furthermore, the 2012 and 2014 compliance sampling reports from Grove-Manitowoc Crane do not contain results for oil and grease. The Grove-Manitowoc Crane permit specifies that oil and grease is a pollutant of concern at the facility. Also, as stated in Section 7.1, the Township must reclassify and permit Grove-Manitowoc Crane as a CIU subject to 40 CFR 433. Therefore, the Township will be required to also conduct compliance monitoring for all categorical standards. As required at 40 CFR 403.8(f)(2)(v) the Township must sample and analyze the effluent from its SIUs to determine compliance with pretreatment program requirements for all required parameters.

The compliance sample results provided by the Township did not include chain-of-custody forms or otherwise document the procedures used to collect the compliance samples. Therefore, the audit team could not determine whether appropriate sampling procedures, preservation methods, and quality assurance steps were used. Samples must be collected with sufficient care as to produce evidence admissible in enforcement proceedings or in judicial actions [40 CFR 403.8(f)(2)(vii)]. Also, the Township must document records of monitoring activities as specified at 40 CFR 403.12(o). Therefore, the Township is required to review and document its sample collection procedures, sample preservation methods, and quality assurance procedures to ensure that it can demonstrate that it meets this standard.

9.2 Compliance Inspections

The regulations at 40 CFR 403.8(f)(2)(v) require that all SIUs be inspected at least once a year unless a discharger is subject to the reduced reporting requirements under 40 CFR 403.12(e)(3). In such a case, the POTW must inspect the discharger at least once every two years [40 CFR 403.8(f)(2)(v)(C)].

Township personnel indicated that compliance inspections are conducted at least annually; however, they were unable to provide documentation of the 2013 compliance inspection at Grove-Manitowoc Crane. Township staff members indicated the 2013 Grove-Manitowoc inspection was previously documented using the Operator 10 database (created by Allmax). Because the Township no longer uses this database, it was unable to retrieve the 2013 Grove-Manitowoc's inspection report. The federal regulations at 40 CFR 403.8(f)(2)(v) require the Township to inspect its SIUs at least once a year. Also, as required at 40 CFR 403.8(f)(2)(vii) the collection of information must be performed with sufficient care as to produce evidence admissible in enforcement proceedings or in judicial actions. Without documentation of these inspection events, the auditors could not assess whether the Township complied with these pretreatment program implementation requirements. Therefore, the Township is required to develop inspection documentation procedures to ensure that all compliance inspections are

conducted as required, adequately documented, and that the documentation is readily accessible when needed. Further, since reliance on electronic copies of inspection reports has failed, it is recommended that the Township maintain paper copies of all documentation required to meet federal and local pretreatment program requirements.

The compliance inspection documentation that the Township did provide did not contain adequate details. The reports do not clearly specify what areas of the facility were inspected and reviewed. For example, the inspection report contains yes or no questions regarding the facility's production area (part 2, section A of the inspection form), but in the August 2013 Eldorado Stone report, none of these questions were answered. In addition, the Eldorado Stone inspection reports do not adequately document whether the Township made the determination whether the facility is required to develop and implement a slug discharge control plan. The inspection form contains a question asking whether the facility needs a spill/slug control plan (part 4 of the inspection form), but the Township did not answer this question in any of the inspection reports provided. The Township is required to provide more information in its inspection documentation so that it is clear that the Township is adequately conducting surveillance activities in order to verify compliance with pretreatment standards as required at 40 CFR 403.8(f)(2)(v). Further, the Township must collect and document information with sufficient care as to produce evidence admissible in enforcement proceedings or in judicial actions, as required at 40 CFR 403.8(f)(2)(vii). For more information regarding conducting compliance inspections, and an example of an industrial user checklist, the Township should refer to EPA's *Industrial User Inspection and Sampling Manual for POTW's* (<http://www.epa.gov/npdes/pubs/owm0025.pdf>).

9.3 Facility Site Visits Conducted During the Audit

The audit team and Township personnel visited five of the Township's permitted and potential nondomestic dischargers as part of the PCA. The audit team noted the following during the facility site visits:

- *Grove-Manitowoc Crane*. The Township incorrectly classified and permitted this facility as a noncategorical SIU. The facility manufactures various sizes of construction cranes from steel and is located on a campus that is over 300 acres. Because of the size of the facility, the auditor requested that the site visit be conducted only in the areas where wastewater is generated. The facility has several wash bays throughout the campus. The following wash bays were inspected during the site visit:
 - *Finished product line*. The wastewater from this process line is recycled and reused as much as possible. Wastewater is treated through a filtration system and the treated wastewater is stored for reuse in the wash bay. The backwash from the filtration system as well as overflow from the recycled water is discharged to the sewer when needed. The facility uses a sodium borate-based chemical in this wash bay.
 - *Cylinder factory line*. The wastewaters generated from this process are held and hauled-off by Stoeck. The facility representative was uncertain of the haul-

off schedule. The facility uses two types of phosphoric acid-based chemicals and a petroleum-based defoamer in this wash bay.

- *Main Paint Shop.* The wastewaters from this location are treated through an oil/water separator and then discharged to the sanitary sewer. The facility uses a sodium borate-based chemical in this wash bay.
- *Final Wash.* The wastewaters from this process are discharged directly to the sanitary sewer. The facility uses a triethanolamine dodecylbenzenesulfonate-based chemical in this process.
- *Large Weld Fabrication.* The wastewaters from this process are recycled and reused as much as possible. The facility treats the wastewater from this process through a media filter. The overflow of the treated wastewater is discharged to the sewer when needed. The facility uses a phosphoric acid-based chemical in this process which functions as an etching process; therefore, any wastewater from this process is considered to be categorical and subject to the regulations at 40 CFR Part 433.

Because the wastewaters discharged from the cylinder factory line and large weld fabrication wash bay are subject to the pretreatment standards and requirements at 40 CFR Part 433, the other wastewaters discharged from any ancillary metal finishing processes (which would include wastewaters from the finished product line wash bay, main paint shop wash bay, and final wash bay) are also subject to 40 CFR Part 433. Therefore, the Township is required to ensure that all federally- regulated wastewaters discharged to the Township are appropriately characterized and regulated and the Township is required to ensure that the facility complies with all federal pretreatment standards and requirements.

- *Tarco.* The audit team identified this facility as a potential nondomestic discharger during an Internet search; Township personnel were aware of the facility, had received an industrial user survey from the facility in 2009, and correctly classified the facility as a nondomestic user. The facility manufactures asphalt roofing materials, producing up to 5,000 rolls of materials each day. Liquid asphalt is applied to roofing paper and the floors and machinery are swept clean. No water is used to clean the facility and the manufacturing processes do not generate any process wastewater. If the facility were to generate any process wastewater from these processes, the facility would then be considered a CIU subject to 40 CFR Part 443. The facility does not have any floor drains and only discharges domestic wastewater to the POTW. No deficiencies were noted during the site visit.
- *Jerr-Dan Carrier Facility.* The audit team identified this facility as a potential nondomestic discharger during an Internet search; Township personnel were aware of the facility, had received an industrial user survey from the facility in 2009, and correctly classified the facility as a nondomestic user. The facility manufactures roll-

back carrier equipment, performing fabrication, welding, and machining processes onsite. The facility works with mostly steel and aluminum parts; all painting, coating, and finishing processes take place at other Jerr-Dan facilities outside the Township's jurisdiction. Some machines use lubricants on their blades, but the lubricants are closed-cycle and are never discharged to the POTW. When spent, the lubricants are recycled. Machines are wiped down by hand and no water is used to clean the facility or equipment. The facility does not have any floor drains and only discharges domestic wastewater to the POTW. No deficiencies were noted during the site visit.

- *Jerr-Dan Molly Pitcher Site.* The audit team identified this facility as a potential nondomestic discharger during an Internet search; Township personnel were aware of the facility, had received an industrial user survey from the facility in 2009, and correctly classified the facility as a nondomestic discharger. The facility manufactures crane lifts; at this site, staff members perform research and development tasks and finished cranes are prepared for trade shows and delivery. There is a paint booth onsite, but the facility has never used this booth and the facility representative indicated that there are no plans to use it. Before trade shows, the facility washes the completed equipment with Simple Green detergent and water. The wastewater is discharged via a floor drain in the wash bay to the POTW; the facility representative estimated that approximately 2,000 gallons per day of wash water is discharged to the POTW. No deficiencies were noted during the site visit.
- *Fab Tech V. Industries, Inc.* The audit team identified this facility as a potential nondomestic discharger during an Internet search; Township personnel were aware of the facility, had received an industrial user survey from the facility in 2009, and correctly classified the facility as a nondomestic user. The facility is a job shop that performs miscellaneous metal fabrication processes for the construction and commercial manufacturing industries. Facility processes include grinding, cutting, welding, sandblasting, painting, and pressing of steel and aluminum; none of these processes generate wastewater. The operations are housed in three buildings and the facility has been in operation at this location since 1987. The only aluminum forming process onsite is pressing with non-contact lubricants. Some parts are wiped down with solvents before being painted; others are sandblasted. The used wipes and solvents are collected and hauled away as hazardous waste and there is no water used in the sandblasting process. The spray paint process is housed in one building; the paint booth is swept clean and the facility representative indicated that the booth is never washed down with water. The facility does not have any floor drains in the process areas visited and only discharges domestic wastewater to the POTW. No deficiencies were noted during the site visit.

9.4 Requesting, Receiving, and Analyzing Reports

The federal pretreatment regulations at 40 CFR 403.8(f)(2)(iv) require the Township to request, receive, and analyze all reports submitted by SIUs. The SIU reports must contain the information required at 40 CFR 403.12 (e) and (h), and the Township is required to ensure that all reports submitted by SIUs comply with the provisions of 40 CFR 403.12.

The Township's procedures for requesting, receiving, and analyzing reports are deficient in the following areas.

9.4.1 Self-monitoring Reports

The file reviews revealed that the Township is inadequately reviewing all SIU self-monitoring reports to ensure compliance with reporting requirements. None of the SIU self-monitoring reports reviewed contain the required certification statement or signature. Furthermore, the auditors did not find any documentation of recognition by the Township of the following reporting and effluent violations.

- Eldorado Stone:
 - No self-monitoring for BOD and TSS in 2013 as required in the facility's permit;
 - Failure to conduct pH monitoring of the treated effluent discharged to the sewer during most months in 2013, there were pH readings of the untreated wastestream outside of the acceptable local limits compliance range of 5 to 9 standard units; sometimes the facility noted in its records that it conducted pH neutralization, but then the facility did not resample the final pH to see if it was in the acceptable range before discharging (except for July 2013, in which the facility did specify the pH before and after treatment, and October 2013, when all the initial pH readings were within the acceptable range); and
 - Numerous pH violations in 2013 (according to facility records, the facility did not always treat the effluent discharged even when the pH reading was outside of the acceptable compliance range).
- Grove-Manitowoc Crane:
 - Repeated CBOD, TSS, total phosphorous, and oil and grease local limit violations from January 2013-June 2014;
 - Failure to conduct total phosphorous self-monitoring during the third quarter of 2013;
 - Failure to conduct temperature and pH monitoring during December 2013;
 - pH of 1.91 in June 2014; and
 - Failure to conduct resampling of total phosphorous after notice of violation for self-monitoring samples collected on April 4, 2013 and March 13, 2014.

Therefore, the Township is required to improve its procedures for reviewing self-monitoring reports to ensure all reporting and effluent violations are properly identified.

9.4.2 Compliance Monitoring Reports

The file reviews revealed that the Township is not adequately reviewing its compliance monitoring results. The auditors could not find any documentation of recognition of the following violations.

- Eldorado Stone:
 - 2014 compliance sample indicates a copper and zinc local limit violation;
 - 2012 compliance sample indicates a zinc local limit violation; and
 - 2010 compliance sample indicates a CBOD and TSS local limit violation.

- Grove-Manitowoc Crane
 - 2014 compliance sample indicates a copper local limit violation; and
 - 2012 compliance sample indicates a copper, total phosphorous, and zinc violation.

Therefore, the Township is required to improve its procedures for reviewing compliance monitoring reports to ensure that all violations are properly identified.

9.4.3 Chain of Custody and Laboratory Reports

The Township did not provide chain-of-custody forms and laboratory reports from the SIUs to the auditors for review. Therefore, the auditors could not determine whether the SIUs' self-monitoring procedures were compliant with the requirements of 40 CFR Part 136. The Township is required to assess all SIU self-monitoring reports to ensure that the SIUs' self-monitoring collection and sample analysis procedures are in compliance with the requirements with 40 CFR Part 136 [40 CFR 403.12(g)(3)] and submit this assessment to EPA Region 3. The assessment must also describe Township procedures for ensuring that SIUs are in compliance with sampling protocol as required at 40 CFR Part 136. The Township can conduct the assessment through careful review of the SIUs' self-monitoring reports or through review of industrial user documentation during the annual inspection. If the assessment is conducted during the annual inspection then the inspection report must also document the assessment.

9.5 Slug Discharge Control Plans

The federal pretreatment regulations at 40 CFR 403.8(f)(2)(vi) require the Township to evaluate each SIU by October 14, 2006, or within a year of its becoming an SIU, to determine whether the SIU needs to develop and implement a slug discharge control plan. A slug discharge is any discharge of a nonroutine, episodic nature, including an accidental spill or noncustomary batch discharge [40 CFR 403.8(f)(2)(vi)]. The regulations also require an SIU to notify the POTW immediately of any changes at the SIU's facility that affect the potential for a slug discharge.

The Township is not adequately evaluating each of its SIUs to determine whether the SIU needs to develop and implement a slug discharge control plan. As previously noted in this report, the Township was unable to provide any documentation of inspections at Grove-Manitowoc Crane and the Eldorado Stone inspection reports do not specify whether the facility is required or not required to develop such a plan. Therefore, the Township is required to ensure that it has adequate procedures for evaluating and documenting the evaluation of each SIU's need to develop and implement a slug discharge control plan. Further, the Township is required to conduct an assessment of the need for a slug discharge control plan at each of its SIUs, as required at 40 CFR 403.8(f)(2)(vi), and submit the assessment to EPA Region 3.

10. Enforcement

The federal pretreatment regulations at 40 CFR 403.8(f)(5) require the Township to develop and implement an ERP. This plan must contain detailed procedures indicating how the Township will investigate and respond to instances of IU noncompliance.

During the interview, the audit team asked Township personnel about the status of the ERP. Township personnel were unaware that the Township had an ERP. The audit team showed them the document that EPA Region 3 had provided as their approved ERP, but Township staff members were unfamiliar with the document. The Township is required to implement its approved ERP when it investigates and responds to SIU noncompliance.

The file review revealed that the Township has not taken any enforcement actions for reporting violations, effluent violations, and failure to conduct repeat sampling after permit limits are exceeded. The federal regulations require the Township to take appropriate enforcement actions for all violations of its pretreatment program [40 CFR 403.8(f)(5)]. Therefore, the Township has failed to implement its approved pretreatment program. The Township is required to correctly identify all violations of its pretreatment program and follow-up with appropriate enforcement actions in accordance with the approved enforcement response plan.

The Township's 2013 annual pretreatment report and Township personnel indicated that they did not have any SIUs in SNC in 2013. The file reviews, however, revealed that Grove-Manitowoc Crane and Eldorado Stone are in SNC for 2013. Because of Grove-Manitowoc Crane's repeated effluent violations of CBOD, total phosphorous, and TSS, the facility met the chronic and technical review criteria for SNC. Both facilities also failed to comply with its self-monitoring reporting requirements (i.e., failure to sample all required pollutants). Therefore, the Township is required to take enforcement in accordance with the approved enforcement response plan based on the SNC status. In addition, the Township is required to publish a public notification in a newspaper of general circulation that provides meaningful public notice within the Township's jurisdiction of all SIUs in SNC as per the regulations at 40 CFR 403.8(f)(2)(viii) as soon as possible. Documentation of the publication must be submitted to EPA Region 3.

In addition, Eldorado Stone is also in SNC in 2013 for failure to sample for BOD and TSS as required by its permit. The Township provided the auditors copies of the discharger's self-monitoring reports, but the reports only included pH and flow data and did not include any BOD and TSS monitoring. Furthermore, because the Township failed to conduct any 2013 compliance sampling at Eldorado Stone, the auditors could not evaluate SNC status of the discharger. Therefore, the Township is required to review all the data submitted by Eldorado Stone and evaluate the facility for SNC status. The Township is required to submit its SNC determination and background data to EPA Region 3.

11. Data Management

The Township's data management of its pretreatment program files needs to be improved. The audit revealed that the Township does not have copies of all of its pretreatment program

implementation documents (i.e., ERP) and compliance inspection reports. In addition, all of the more recent permit files, compliance monitoring results, correspondence, and inspection reports were all stored electronically on a computer. The files were not readily available to the auditors for review and Grove-Manitowoc Crane's inspection reports were not accessible because the Township changed software programs. Without proper documentation of program implementation activities, the audit team could not verify whether the Township is adequately implementing its pretreatment program according to federal requirements. The federal regulations at 40 CFR 403.12(o) require the Township to maintain records of all information resulting from any monitoring activities as required by 40 CFR 403.12. Therefore, the Township is required to review its data management procedures and ensure its procedures are adequate to comply with the federal requirements. At a minimum, all of the Township's program files must be readily accessible for review.

In addition, the interview revealed that the Township does not have procedures for evaluating confidential business information (CBI) requests. The Township staff members also indicated that they have not received any requests to keep any information confidential. The auditors informed the staff that CBI status does not need to be automatically granted upon request. In fact, there is some information that cannot be claimed as CBI because it needs to be publicly available information as per the regulations in 40 CFR 403.14 which state:

(a) EPA authorities. In accordance with 40 CFR Part 2, any information submitted to EPA pursuant to these regulations may be claimed as confidential by the submitter. Any such claim must be asserted at the time of submission in the manner prescribed on the application form or instructions, or, in the case of other submissions, by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, EPA may make the information available to the public without further notice. If a claim is asserted, the information will be treated in accordance with the procedures in 40 CFR Part 2 (Public Information). (b) Effluent data. Information and data provided to the Control Authority pursuant to this part which is effluent data shall be available to the public without restriction. (c) State or POTW. All other information which is submitted to the State or POTW shall be available to the public at least to the extent provided by 40 CFR 2.302.

The regulations at 40 CFR 2.302(a)(2)(i) define what constitutes effluent data (see below), and the regulations at 40 CFR 2.209 specify the criteria used to determine confidentiality.

(A) Information necessary to determine the identity, amount, frequency, concentration, temperature, or other characteristics (to the extent related to water quality) of any pollutant which has been discharged by the source (or of any pollutant resulting from any discharge from the source), or any combination of the foregoing;

(B) Information necessary to determine the identity, amount, frequency, concentration, temperature, or other characteristics (to the extent related to water quality) of the pollutants which, under an applicable standard or limitation, the source was authorized to discharge (including, to the extent necessary for such purpose, a description of the manner or rate of operation of the source); and

(C) A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

(ii) Notwithstanding paragraph (a)(2)(i) of this section, the following information shall be considered to be effluent data only to the extent necessary to allow EPA to disclose publicly that a source is (or is not) in compliance with an applicable standard or limitation, or to allow EPA to demonstrate the feasibility, practicability, or attainability (or lack thereof) of an existing or proposed standard or limitation:

(A) Information concerning research, or the results of research, on any product, method, device, or installation (or any component thereof) which was produced, developed, installed, and used only for research purposes; and

(B) Information concerning any product, method, device, or installation (or any component thereof) designed and intended to be marketed or used commercially but not yet so marketed or used.

Per 40 CFR 2.208, business information is entitled to confidential treatment if (a) the business has asserted a business confidentiality claim, which has not expired by its terms, nor been waived nor withdrawn; (b) the business has satisfactorily shown that it has taken reasonable measures to protect the confidentiality of the information, and that it intends to continue to take such measures; (c) the information is not, and has not been, reasonably obtainable without the business's consent by other persons (other than governmental bodies) by use of legitimate means (other than discovery based on a showing of special need in a judicial or quasi-judicial proceeding); (d) no statute specifically requires disclosure of the information; and (e) either—(1) the business has satisfactorily shown that disclosure of the information is likely to cause substantial harm to the business's competitive position; or (2) the information is voluntarily submitted information [see Sec. 2.201(i)], and its disclosure would be likely to impair the government's ability to obtain necessary information in the future.

The Township is required to comply with the requirements at 40 CFR 403.14 the Township must have a formal process that provides for steps to accept, process, and manage such claims in the future.

Finally, the Township is accepting electronic self-monitoring reports from its SIUs even though the Township has not been approved by EPA to do so. The auditors informed the Township that in order to accept purely electronic submissions, the Township must comply with the requirements at 40 CFR Part 3 (Cross-Media Electronic Reporting Regulation, CROMERR). If the Township wants to accept electronic reports (which includes pdf files submitted by email) it is required to collect hardcopy reports (including original signature) from all SIUs until the Township has been approved to accept electronic reports; notify EPA's Office of Environmental Information that the Township wants to receive electronic reporting; and follow up with all applicable standards and requirements related to receiving such reports.

12. Summary of Requirements and Recommendations

Listed below are requirements and recommendations resulting from the audit of the Township's pretreatment program. For more specific information pertaining to each comment, see the cited sections of the report.

12.1 Requirements

1. According to Township personnel, the Township is evaluating its local limits and recently submitted its local limits report to EPA Region 3. The Township must follow the approval procedures for pretreatment program modifications at 40 CFR 403.18(c). (Section 4, Pretreatment Program Modifications)
2. As a result of finding from both the interview and file review portions of the audit, the audit team found discrepancies in the Township's SUO. It is recommended that the Township address each of these issues. Please note that any changes in the SUO as a result of correcting these discrepancies must be reported to the Approval Authority in accordance with 40 CFR 403.18. (Section 5, Legal Authority)
3. During the interview, Township personnel indicated that they had no CIUs. The Township's 2013 annual report and the subsequent site visit to Grove-Manitowoc Crane, however, revealed that the facility is a CIU subject to 40 CFR Part 433. The Township is required to improve its procedures for characterizing its nondomestic dischargers to ensure proper categorization and proper implementation of categorical standards. (Section 6, Nondomestic Discharger Identification Characterization)
4. The Township incorrectly permitted Grove-Manitowoc Crane as a noncategorical SIU. Therefore, the Township is required to revise Grove-Manitowoc Crane's permit to incorporate all federal pretreatment standards and requirements for 40 CFR Part 433 facilities. (Section 7.1 Facility Classification)
5. The file reviews of Grove-Manitowoc Crane and Eldorado Stone revealed that the local limits in the permits are not consistent with the local limits established in the SUO. Therefore, the Township is required to review its SUO and its local limits development document to determine how the established local limits must be applied and revise the SIU permits accordingly. If the Township wishes to apply both daily maximum and monthly average local limits, it must ensure that it has established adequate legal authority to do so. (Section 7.2.1, Daily Maximum and Monthly Average Limits)
6. Both permits reviewed contain total suspended solids (TSS) local limits that are less stringent than the TSS limit established in the Township's SUO. Section 111.8 of the SUO, which lists the Townships local limits, does not discuss allowance of alternative local limits derived on a case-by-case basis. Therefore, the local limits for TSS in both permits are incorrect and the Township is required to revise the permits to include the TSS established in the SUO. (Section 7.2.2, Total Suspended Solids)
7. The Eldorado Stone permit contains insufficient self-monitoring requirements. Therefore, the Township is required to revise Eldorado Stone's permit to require monitoring for all pollutants of concern at least once every six months. (Section 7.3, Sampling Requirements)

8. Both of the permits reviewed contained incomplete sample location descriptions. The statement in the permit regarding sample location is a placeholder for a sample location schematic and description, but the permit does not include any schematics or descriptions of the applicable sampling location. Therefore, the Township is required to revise all SIU permits to include an adequate sample location description. (Section 7.4, Sample Location)
9. The Grove-Manitowoc Crane permit does not include the requirement to develop and implement a slug discharge control plan. The Township previously determined that such a plan was necessary and therefore, the facility's permit must contain the requirements to control slug discharges [40 CFR 403.8(f)(1)(B)(6)] and the Township must ensure that the SIU develop and implement the slug discharge control plan. (Section 7.5, Slug Discharge Control Requirements)
10. The Township is not requiring Grove-Manitowoc Crane to comply with all applicable pretreatment standards and requirements. The Township is required to revise Grove-Manitowoc Crane's permit to include all applicable requirements and ensure that the facility complies with all pretreatment standards and requirements. (Section 8, Application of Pretreatment Standards and Requirements and Section 9.3, Facility Site Visits Conducted During the Audit)
11. The Township has not permitted or conducted the appropriate compliance monitoring of one of its SIUs, Mountain View Landfill. The Township is required to regulate the discharger accordingly, which includes issuing the facility a permit and conducting required compliance sampling and inspections. (Section 8, Application of Pretreatment Standards and Requirements)
12. The Township did not conduct any compliance sampling of its permitted SIUs in 2013. This contradicts the information in the Township's 2013 annual report that states Grove-Manitowoc Crane and Eldorado Stone "was sampled by Antrim Township via Franklin Analytical by split sample." The Township is required to review its procedures and frequencies for compliance sampling and ensure that it complies with compliance monitoring requirements at 40 CFR 403.8(f)(2)(v). The Township is also required to correct and resubmit its 2013 annual report to EPA Region 3. (Section 9.1, Compliance Sampling)
13. The file review revealed that the Township is using incorrect sample analysis methods for cyanide and phenolics. The Township is required to review its sample analysis methods and ensure that analysis for cyanide and phenolics, as well as all other pollutants, is performed in compliance with the methods listed at 40 CFR Part 136. (Section 9.1, Compliance Sampling)
14. The Township failed to collect compliance samples for all pollutants of concern during its compliance sampling events at Eldorado Stone and Grove-Manitowoc Crane. The Township is required to collect compliance samples for all pollutants of concern as established in each SIU's permit at least once per year as required at 40 CFR 403.8(f)(2)(v). (Section 9.1, Compliance Sampling)
15. The compliance sample results provided by the Township did not include chain-of-custody forms or otherwise document the procedures used to collect the compliance samples. The Township is required to review and document its sample collection

procedures, sample preservation methods, and quality assurance procedures to ensure that they can demonstrate that the results of their compliance samples are admissible in enforcement proceedings or judicial actions as required at 40 CFR 403.8(f)(2)(vii). Also, the Township must document records of monitoring activities as specified at 40 CFR 403.12(o). (Section 9.1, Compliance Sampling)

16. Township personnel were unable to provide documentation of any compliance inspections at Grove-Manitowoc Crane. The Township is required to conduct and document inspection activities at its SIUs as required at 40 CFR 403.8(f)(2)(v). As required at 40 CFR 403.8(f)(2)(vii) the collection of information must be performed with sufficient care as to produce evidence admissible in enforcement proceedings or in judicial actions. The Township is required to develop inspection documentation procedures to ensure that all compliance inspections are conducted as required, adequately documented, and that the documentation is readily accessible when needed. (Section 9.2, Compliance Inspections)
17. The Township is required to provide more information in its inspection documentation so that it is clear that the Township is adequately conducting surveillance activities in order to verify compliance with pretreatment standards as required at 40 CFR 403.8(f)(2)(v). Further, the Township must collect and document information with sufficient care as to produce evidence admissible in enforcement proceedings or in judicial actions, as required at 40 CFR 403.8(f)(2)(vii). (Section 9.2, Compliance Inspections)
18. The file reviews revealed that the Township is inadequately reviewing all SIU self-monitoring reports to ensure compliance with reporting requirements. The Township is required to improve its procedures for reviewing self-monitoring reports to ensure all reporting and effluent violations are properly identified. (Section 9.4.1, Self-monitoring Reports)
19. The file reviews revealed that the Township is not adequately reviewing its compliance monitoring results. The Township is required to improve its procedures for reviewing compliance monitoring reports to ensure that all violations are properly identified. (Section 9.4.2, Compliance Monitoring Reports)
20. The Township did not provide chain-of-custody forms and laboratory reports from the SIUs to the auditors for review. The Township is required to assess all SIU self-monitoring reports to ensure that the SIUs' self-monitoring collection and sample analysis procedures are in compliance with the requirements with 40 CFR Part 136 [40 CFR 403.12(g)(3)] and submit this assessment to EPA Region 3. The assessment must also describe Township procedures for ensuring that SIUs are in compliance with sampling protocol as required at 40 CFR Part 136. The Township can conduct the assessment through careful review of the SIUs' self-monitoring reports or through review of industrial user documentation during the annual inspection. If the assessment is conducted during the annual inspection then the inspection report must also document the assessment. (Section 9.4.3, Chain of Custody and Laboratory Reports)
21. The Township is not adequately evaluating each of its SIUs to determine whether the SIU needs to develop and implement a slug discharge control plan. The Township is

- required to ensure that it has adequate procedures for evaluating and documenting the evaluation of each SIU's need to develop and implement a slug discharge control plan. Further, the Township is required to conduct an assessment of the need for a slug discharge control plan at each of its SIUs, as required at 40 CFR 403.8(f)(2)(vi), and submit the assessment to EPA Region 3. (Section 9.5, Slug Discharge Control Plans)
22. Township personnel were unaware that the Township had an ERP. The Township is required to implement its approved ERP when it investigates and responds to SIU noncompliance. (Section 10, Enforcement)
 23. The file review revealed that the Township has not taken any enforcement actions for reporting violations, effluent violations, and failure to conduct repeat sampling after permit limits are exceeded. The Township is required to correctly identify all violations of its pretreatment program and follow-up with appropriate enforcement actions in accordance with approved enforcement response plan. (Section 10, Enforcement)
 24. The file reviews revealed that at least Grove-Manitowoc Crane is in SNC for 2013. The Township is required to determine the appropriate actions necessary based on the SNC status and the approved enforcement response plan. In addition, the Township is required to publish a public notification in a newspaper of general circulation that provides meaningful public notice within the Township's jurisdiction of all SIUs in SNC as per the regulations at 40 CFR 403.8(f)(2)(viii) as soon as possible. Documentation of the publication must be submitted to EPA Region 3. (Section 10, Enforcement)
 25. Eldorado Stone could also be in SNC in 2013 for failure to sample for BOD and TSS as required by its permit. The Township is required to review all the data submitted by Eldorado Stone and evaluate the facility for SNC status. The Township is required to submit its SNC determination and background data to EPA Region 3. (Section 10, Enforcement)
 26. The Township's data management of its pretreatment program files needs to be improved. The Township is required to review its data management procedures and ensure its procedures are adequate to comply with the federal requirements. At a minimum, all of the Township's program files must be readily accessible for review. (Section 11, Data Management)
 27. The interview revealed that the Township does not have procedures for evaluating CBI requests. The Township is required to comply with the requirements at 40 CFR 403.14 the Township must have a formal process that provides for steps to accept, process, and manage such claims in the future. (Section 11, Data Management)
 28. The Township is accepting electronic self-monitoring reports from its SIUs even though the Township has not been approved by EPA to do so. If the Township wants to accept electronic reports (which includes pdf files submitted by email) it is required to collect hardcopy reports (including original signature) from all SIUs until the Township has been approved to accept electronic reports; notify EPA's Office of Environmental Information that the Township is receiving electronic reporting; and

follow up with all applicable standards and requirements related to receiving such reports. (Section 11, Data Management)

12.2 Recommendations

1. The Township has adopted several of the optional streamlining rule pretreatment program provisions but has not developed SOPs for the provisions. It is strongly recommended that the Township review its SUO and develop SOPs for all of the optional provisions that have been adopted to ensure consistency in implementation. (Section 4.1, Optional Streamlining Pretreatment Program Provisions)
2. Township personnel stated that they sent out industrial waste surveys to all commercial and nondomestic users in their service area in 2009. The Township should continue to review new business license applications and changes at existing businesses to ensure that it is aware of any new SIUs that must be regulated under its pretreatment program. (Section 6, Nondomestic Discharger Identification Characterization)
3. Both permits reviewed specified that the dischargers are required to notify the Township if there are increases in production. It is strongly recommended that the Township revise its notification of significant change statement to incorporate *any* changes in production. (Section 7.6, Notification of Significant Change)
4. The Township does not use permit fact sheets. It is strongly recommended that the Township develop permit fact sheets for each SIU or zero-discharging CIU. (Section 7.7 Fact Sheets)
5. Since reliance on electronic copies of inspection reports has failed, it is recommended that the Township maintain paper copies of all documentation required to meet federal and local pretreatment program requirements. (Section 9.1, Compliance Sampling)